



**FUBA**  
FLORIDA UNITED BUSINESSES ASSOCIATION

# ISSUES

OUR BUSINESS IS SMALL BUSINESS

**OCTOBER 2015**

**Volume XXV, No. 10**

## **REMINDER: UNEMPLOYMENT TAXES DUE BY OCTOBER 31<sup>ST</sup>**

The Florida unemployment compensation tax (now called "reemployment tax") for the third quarter of 2015 (for payroll paid during the months of July, August and September) is due to the state of Florida by October 31<sup>st</sup>, along with the Employer's Quarterly Report (RT-6). All Florida businesses with employees are responsible for paying this tax (with very limited exceptions).

The Employer's Quarterly Report used to be called the UCT-6 but is now known as the RT-6 because the Legislature changed the name from "unemployment compensation" to "reemployment assistance" several years ago. Only the name has changed; the content of the form is still the same.

On the RT-6 tax return, you must list all employee names and social security numbers, plus the amount of wages you paid them for the quarter. **Please remember that reemployment taxes are collected only on the first \$7,000 of each employee's wages. This is a change from 2014 – last year, employers paid tax on the first \$8,000 of each employee's wages.**

Because reemployment tax is only paid on the first \$7,000 of each employee's wages, you may not owe much tax this quarter if your employees have already reached \$7,000 in wages this calendar year.

If you pay your tax by electronic funds transfer

(EFT) or through the Internet, you must initiate the payment by 5:00 p.m. ET on the business day prior to October 31<sup>st</sup> for your payment to be considered timely. A late filing penalty is charged at \$25 for each month or a fraction of a month that a report is late. Interest is charged at 1% per month on the unpaid tax from the original due date until the tax is paid.

If you have 10 or more employees, you are required to file your RT-6 and pay your taxes online through the Department of Revenue's website, unless you have received a waiver to file your return on paper.

Whether you file by paper or electronically, you can sign up to receive a quarterly reemployment tax reminder email from the Department of Revenue at [dor.myflorida.com/dor/list/](http://dor.myflorida.com/dor/list/).

## **PROPOSED CHANGES TO FEDERAL OVERTIME PAY REGULATIONS**

The United States Department of Labor (USDOL) recently released a proposal to increase the number of "white collar" employees eligible to receive overtime pay. Right now, employees whose job duties meet certain tests and who make \$23,660 annually are exempt from overtime pay. The USDOL's proposed change would raise the minimum salary to \$50,440 annually, meaning that all employees who are currently not eligible for overtime pay would have to be paid overtime if their annual salary is less than \$50,440.

This proposed rule, which would take effect in 2016, would also apply to employees

who are considered exempt computer employees and outside salespeople.

Under the current provisions of the Fair Labor Standards Act (FLSA), employers are required to pay employees working more than 40 hours in a work week overtime pay at the rate of 1 and one-half times their hourly wage rate. This applies to both salaried and hourly employees, unless the employees fall under specific exemptions.

The most common exemptions from overtime pay are for employees employed in an executive, administrative or professional capacity. If an employee is (1) a salaried employee; (2) earns more than \$23,660 in salary each year; and (3) meets all the duties tests in the regulations defining executive, administrative or professional employees, that employee is exempt from receiving overtime pay. By increasing the salary threshold to \$50,440, workers currently not receiving overtime pay would have to be paid overtime if their salary is less than \$50,440.

We have detailed information from the federal government about the exemptions from overtime pay on our website. Please visit **FUBA.org** and look for Fact Sheet 17A under the **Small Business Alert** section on the left-hand side of our home page. FUBA will continue to monitor this proposal and provide you additional information as it moves through the process.

## **FREE SEMINARS ON WORKERS' COMPENSATION AND WORKPLACE SAFETY**

The Florida Division of Workers' Compensation is continuing its series of free seminars for Florida employers on Florida's workers' compensation laws and workplace safety. These seminars are available either in person or on-line via webinar. Seminars are open to all business owners, licensed contractors, and employers. Continuing education units (CEU's) are available to contractors licensed by the Florida Department of Business & Professional Regulation.

Seminar topics include:

- Who is required to have workers' comp insurance

- Who is eligible to exempt out of workers' comp coverage
- Contractor responsibilities for workers' comp in Florida
- State enforcement of the workers' comp laws
- OSHA/Workplace Safety Inspections

### Classroom Dates and Locations:

All seminars are from 9:00 a.m. to Noon, and the content is identical in each seminar. The in-person seminars cover both workers' compensation and workplace safety topics.

- October 5 -- Ft. Myers
- October 27 -- Jacksonville
- November 9 -- Tampa
- November 16 -- Miami
- December 2 -- Tallahassee
- December 3 -- Orlando
- December 10 -- Lantana

### Webinar Dates:

If it is not convenient for you to attend an in-person seminar, the State is also offering this information over the Internet through a series of free Webinars. All Webinar sessions run from 2:00 p.m. to 3:00 p.m. (ET). Webinars cover either workers' compensation or workplace safety (not both).

### Workers' Compensation Webinars:

- October 7
- November 4
- December 9

### Workplace Safety Webinars:

- October 8
- November 5
- December 10

Note: Advance registration for all classes and webinars is required. The registration form is available from the Small Business Alert section on the left-hand side our website at **FUBA.org**.